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ABSTRACT

This guide is designed to provide a process for identifying and developing understanding of the many ways that the law touches the individual at the community level. A study done by 7th grade students at Wellwood Middle School in the Fayetteville-Manlius School District in New York is described. A geographic feature in the community known as the Swan Pond was studied. As detailed in the day by day account of this study, the students interviewed town residents, took pictures, and searched official records to learn about the pond's history, the community's use of the facility, and many other aspects. Technological, communicative, and analytical skills are stressed in this project. The students benefited from their face to face contact with the people of the community, and had opportunity to see their "known world" in another context. Models, suggested activities, and samples of interviews, reports, and documents are included. To use this study as a prototype, teachers might identify a similar focal point in the community in which they teach, and adapt the procedures developed by the teaching team and students at the Wellwood school. (Author/KC)

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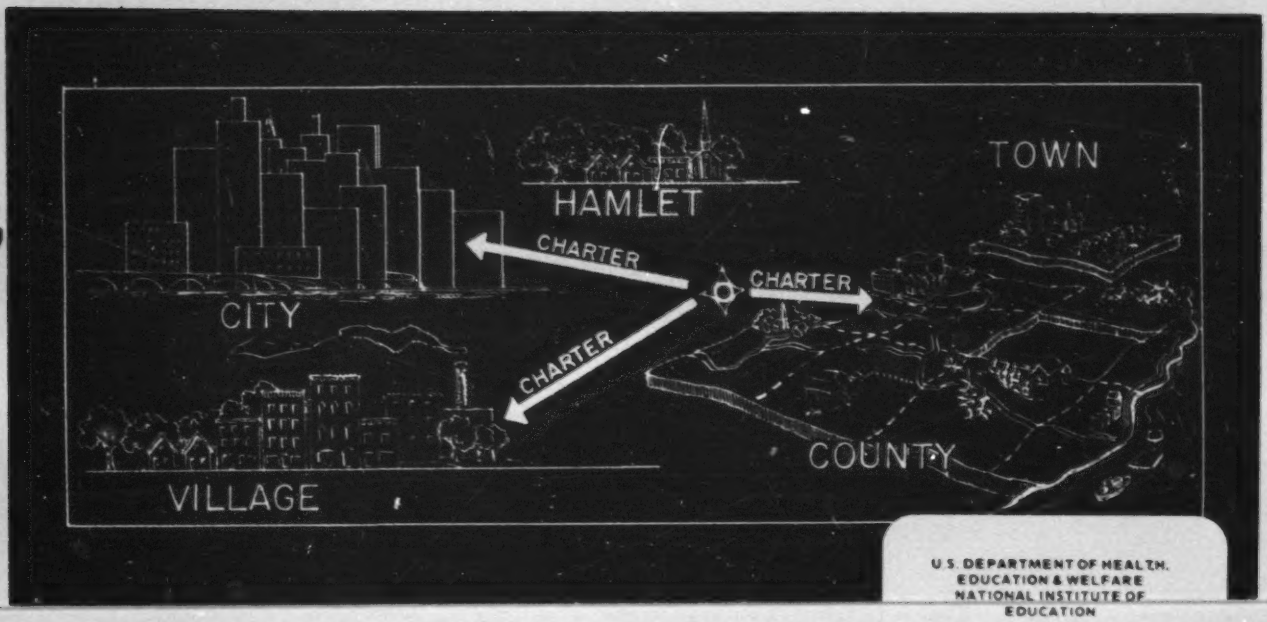

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Law-Related Education

Through

A Community Study Project

SO 010 170

The University of The State of New York
THE STATE EDUCATION DEPARTMENT
Bureau of General Education Curriculum Development
Albany, New York 12234
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FOREWORD

To develop understanding of law as an integral part of daily life, it is sometimes necessary to personalize the relationship. A community study project carried out by seventh grade students at Wellwood Middle School, Fayetteville-Manlius Central School offered opportunities through which the students who actively planned and carried out a search for data in the community would also develop awareness of the various legal and administrative units providing services to the average student.

Two teachers at Wellwood School, Rhees Roberts and John Loosmann, were asked to keep careful logs, write a description of the process, and send sample materials developed by the students as they carried out a community study in the early weeks of 1976. Lance Russell, a graduate of Georgetown University Law School, then took their report and analyzed it in terms of the points of intersection with the law.

Their combined efforts are intended to serve as a model for teachers who wish to capitalize upon the high interest created by a "hands on" learning situation in the community, but in addition want to provide a law-related focus to such a study. Although the Wellwood School project was seen as primarily a social studies learning experience, the project has implications for interdisciplinary programs as well.

Donald Bragaw, Chief, Bureau of Social Studies Education and Coe Dexter, John Dority, Jacob Hotchkiss and Kenneth Wade of that Bureau assisted in the planning of the project and reviewed the manuscript. Janet M. Gilbert, associate, Bureau of General Education Curriculum Development, was in general charge of the project and prepared the manuscript for printing.

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LAW-RELATED EDUCATION THROUGH A COMMUNITY STUDY PROJECT

This guide is designed to provide a process for identifying and developing understanding of the many ways that the law touches the individual at the community level. To give meaning to the process, a study done by 7th grade students at Wellwood Middle School in the Fayetteville-Manlius School District is described in detail. To use this study as a prototype, teachers might identify a similar focal point in the community in which they teach, and adapt the procedures developed by the teaching team and students at the Wellwood school. The students' focus was set upon a geographic feature in the community known as the Swan Pond. As detailed in the day by day account of this study contained in this publication, the students interviewed town residents, took pictures, and searched official records to learn about the pond's history, the community's use of the facility, and many other aspects. In so doing, the students benefited from their face to face contact with the people of the community, and had opportunity to see their "known world" in another context. To assume, however, that this direct contact with the community will automatically result in building effective citizenship leaves out many key ingredients in that process.

Taking a Mindwalk

One technique to sensitize students to the many legal implications which constantly surround the individual is to lead the group through an imaginary day. For each statement of activity, the group is encouraged to name a law or official administrative action which is implied.

A typical dialogue might be:

Leader	Group
My name is John Doe	Registry of vital statistics
I live at 7 Appletree Lane, Greenville	Deed of property, zoning
I work at the XYZ Steel Plant	Regulation of working conditions; zoning, labor laws, environmental factors
Every morning my clock radio wakes me at 6:30 A.M.	Federal Communications regulations Time—set by government
I wash and brush my teeth	Water purification and fluoridation Federal Food and Drug Act regarding toothpaste
At breakfast, I read the morning paper	First Amendment - freedom of the press
After breakfast, I drive in my car to the factory	Traffic regulations, driver's license

An Attorney Takes A Mindwalk In The Swan Pond Project

To provide teachers with suggestions for optimal use of this guide in helping students understand the function of law, we have asked an attorney to "take a mindwalk" through the account of the Community Survey described. He has examined their record-gathering plans and instruments, such as the questionnaires and newspaper ads, and the results of these activities, including the pictures, data collections, and transcriptions of interviews.

At each point in which he has found significant legal implications, he has inserted statements concerning the particular legal instrument, or questions to consider in searching for the legal relationship to the event. These are placed within the text in this type face:

A deed is a legal document which, etc., etc. ...

- *What important points would one consider in examining a deed?*
- *How do records of property holding compare with those of an earlier date?*
- *Etc.*

In planning a comparable community study, teachers may find it helpful to ask the local Bar Association for similar assistance in the initial planning stages of the project. Such a procedure has implications for an interdisciplinary approach in education. The process through which a science class surveys water resources in an area could be adapted to include a social studies survey of the law-related aspects at the same time.

Reference to Swan Pond [Paragraph 1, page 1]

A physical body of water such as Swan Pond raises various legal considerations.

- *Who owns the pond?*
- *Who owns the water?*
- *Who owns the fowl?*
- *Who owns the fish?*
- *Who owns the fauna and flora?*
- *Who can use the pond?*
- *For what purposes can the pond be used?*
  - *Introduce the notion of trespassing*
- *For what purposes can the land surrounding the pond be used?*
  - *Introduce idea of zoning (residential vs. commercial)*
- *Any issues involving conservation fall under environmental law. (i.e., water, soil quality)*
  - *New York State is one of the few states to have a separate state administrative agency to deal with these matters. The area of administrative law can be introduced in as great a depth as desired.*
- *Who is the pond for? - Animal / plant life / humans*
- *Who is liable for any injuries which swans might afflict upon humans?*
- *Who has the right to remove the swans?*
- *Does the pond increase or decrease the value of the surrounding land?*

PLANNING A COMMUNITY STUDY PROJECT

Curriculum Planning

Although community-based learning can be the focus of an entire course of study, usually, as in the case of the project described in this publication, it is the vehicle for accomplishing a few goals of the curriculum over a short period of time. Because the excitement and enthusiasm for out-of-classroom experiences tend to be intense, it is important that the objectives of the project be defined in advance, and that some evaluation scheme be predetermined. There is a tendency to write off all gains as being in the affective domain, and therefore not subject to the usual measurement of change.

Cognitive Objectives

- To expand understanding of the concept, *government*, in terms of the ways that governing institutions touch many aspects of the individual's life.
- To discover the many functions which governing institutions may serve, including regulatory bodies, depositories of information about individuals, sponsors of reaction and other activities for citizen benefit, as well as the legislative, enforcing, and judicial functions usually studied.
- To develop understanding of the relationship of governing institutions to aspects of physical and economic change in the community.
- To create awareness of the necessity for a concrete information base as a tool in effecting political change.
- To help students perceive of citizens as the many individuals who work and live in the community, drawing upon its services and providing both personnel and financial support.

Skills Objectives

- To develop or improve technological skills in observation, such as use of cameras, audio and video tape recorders, and photocopying devices.

  The use of recording tapes presents many evidentiary questions relating to authenticity and accuracy which may or may not want to be pursued. This is especially so when a tape has been edited in any way or where accidental eighteen-minute gaps appear.

- To develop or improve communication skills of writing, speaking (including interviewing, telephoning) listening and reading.

  Both "Letters to the Editor" and other references to newspapers open the entire spectrum of first amendment

rights, specifically freedom of the press and freedom of speech. So many implications are involved, that we are not attempting to suggest questions at this point. Students might be reminded, however, of the relationship of these rights to the processes in which they are participating.

- To develop understanding of, and ability to apply on many occasions, observation skills, including interpretation of audio, visuals, and other sensory cues.
- To improve skills used in documentation, including recognizing significant data, recording data so that entries can be easily drawn upon at a later stage, and developing a systematic collection scheme.
- To develop and improve skills of relationship identification, analysis, and application. (The selection on page 46 in the appendix presents a model for skills development using visual devices. This material was developed through PASSS: Project Assessment Social Studies Skills.)

(Recording data on file cards and photocopying on "Share Your History" Day.)

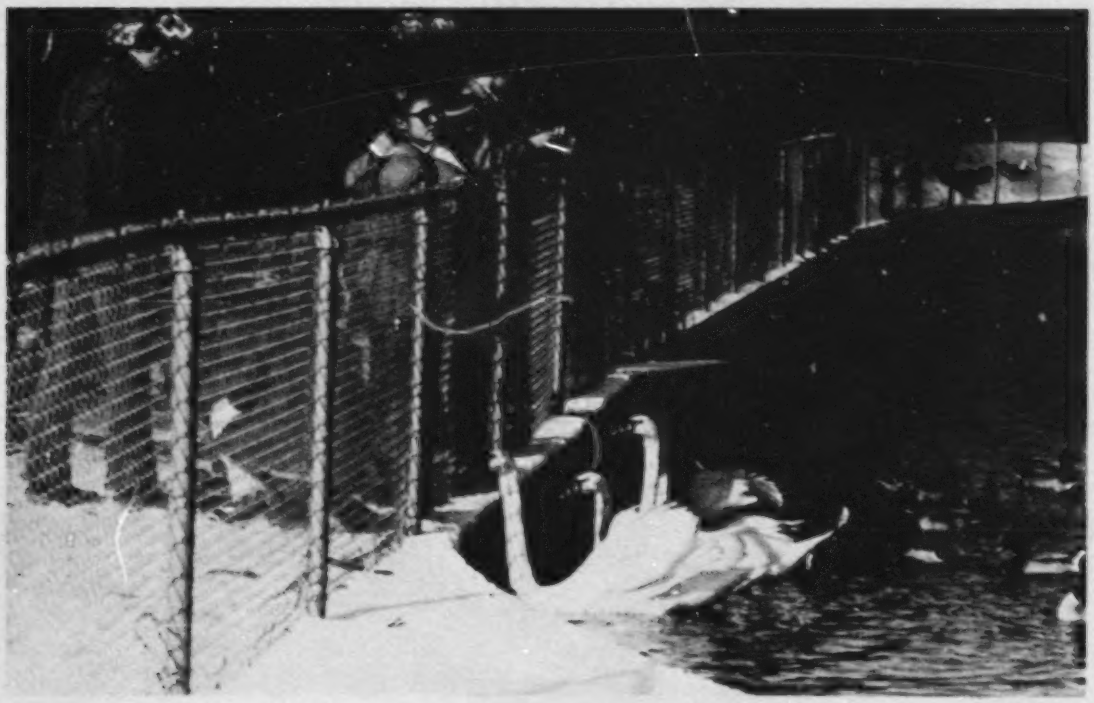
PROJECT SWAN POND: A PROTOTYPE OF A COMMUNITY STUDY

Observing The Community To Be Studied

Several types of observation assume major importance in developing community-focused curriculum. Although many teachers might consider these planning stages as teacher-centered, this is an excellent place for student-teacher cooperation in these functions.

Through the process of "curriculum riding" the planning team identifies people, places, things, and events to be used in experiential learning, as the team members ride around the "known world" of the students to be involved in the project. Because communities are dynamic, several observations should be made at different times of day, under varying weather conditions. "Curriculum walking," a variant to riding, allows the planners to sense the sounds, smells, and contacts within the community in the same manner in which students perceive their world.

Listening and talking are also important elements in the planning. Oral exchanges are required to obtain the imagery in residents' minds, their views on local issues and their sense of identity with community elements that have been detected by riding and walking.



(On site observation during lunch break at the Swan Pond.)

Preplanning

- Time allocation: two weeks
- Classroom organization: rescheduling of class groups to provide for one teacher and a subgroup of students to be free to spend extended time periods in the community.
- Division of responsibility:
  - community contacts, logistics, instructional planning assigned to the social studies and science teachers; each to spend 2 or 3 days in the field with students
  - English and math teachers in supportive roles, each entering the field for one day

Preparation: Mechanics

- Briefing of administrator concerning project plans
- Arrangement for transportation for field trippers
- Collection of observation equipment; tape recorders, cameras, tapes and films
- Arrangement for temporary headquarters, in a school district office building near the site
- Initial contact with the community resources: town historian; the mayor; the village clerk; the village librarian; the postmaster; the editorial and advertising personnel of local weekly newspaper; school district officials; a graduate student from a local university who was studying changes in the Manlius business district.

Many of the above members of the "official community" suggested others who would be knowledgeable and helpful. Two life residents of the community generated a list of 70 potential informants, each of whom lived within walking distance of project headquarters, would be receptive to interview requests and had a minimum of 50 years of local recollection to impact.

(Oblique aerial photographs, 1954.)

(Photocopy of a section of an aerial map acquired from Syracuse and Onondaga County Regional Planning Board Aerial Survey of 1972. Used by Fayettville-Manlius School district for Census Planning.)

Enter, the Participants

For this project, seven girls and six boys were selected by the teaching teams, with the following qualifications to be included within the total group:

- photographic skills (for several of the group)
- skill in communicating orally with adults
- likelihood of thriving on a trust relationship, without constant adult supervision
- ability to work with other students on a self-directed basis
- willingness to make up work missed in regular classes
- parental permission

It should be noted that academic ability or giftedness were not prerequisites, except as they might be reflected in some of the skills or abilities listed above.

PARAGRAPH 1 - Reference to school district

The concept of a school district raises numerous legal considerations. Among those that can be examined are:

- *What is a school district?*
  - *Is it a legal and/or administrative unit?*
- *What is the distinction between a public and a private school or school district?*
- *How are school districts supported?*
  - *Introduce ideas of taxation and contracts*
  - *Should public taxes be used to support private schools?*
- *Busing presents several contemporary civil rights issues*
- *Who governs or rules school districts?*
- *What standards are used in making decisions?*
- *Who makes decisions within and for the school district?*
- *What means are there for administrative or judicial review of such decisions?*
- *How are such decisions enforced?*
- *Who comprises school districts and how are these people selected?*
  - *Should such members be appointed or elected?*
- *What roles can an individual school play within a given school district?*
- *What are the legal rights and responsibilities of:*
  - *students*
  - *teachers*
  - *administrators*
- *How important is an education?*
  - *Legally, this can be presented by asking whether education is a fundamental right in our system of jurisprudence. The basic difference between a fundamental right and one that is not is that in order to deprive a person of a fundamental right, the State (government) must show a compelling state interest.*

In all other instances, the State need show only that the deprivation is necessary to accomplish a valid State purpose. Thus, a fundamental right is considered more "precious" and the State must prove to a higher degree why any deprivation should be sustained. The United States Supreme Court has ruled that the right to education is not fundamental while the right to travel and the right to get a divorce are. The logic and wisdom of such decisions are a good vehicle for study.

- *What are the legal rights of teachers as disciplinarians under the theory that they are acting in place of parents?*
- *Who is permitted access to and use of school district property?*

Day-By-Day

Day 1 One teacher and the participant team established headquarters in Manlius at the school district headquarters near Swan Pond. Students met personnel in adjacent school district offices, and were made aware of the building's services and ground rules.

An hour or so was devoted to brainstorming the avenues the project might follow, with a list of ideas recorded for later consideration. (See pages 10-14.)

All then visited the pond. A general survey of pond layout, landscaping and physical structures was made, as well as observations of swans, mallards, geese and other waterfowl. The pond's environment was noted, along with accommodations for human users. Three students accepted photographer's roles, and captured scenes and details from vantage points inside and outside the park space. Other students took note of the adjacent village street and parcels of land, recorded the number and character of nearby businesses and residences, and held a few unstructured conversations with neighboring persons and pond visitors.

When students returned to headquarters, brainstorming produced new ideas concerning the project possibilities to add to the newsprint list. Fourteen categories emerged, not parallel in structure, but at this juncture not subject to criticism which might discourage initiative.

PROJECT PLANNING SHEET

Topics Suggested By The Participants

USING THE SWAN POND

..never stopped there before
..feed ducks sometimes
..little kids enjoy feeding animals

NEIGHBORS OF SWAN POND

..''What's Your Beef'' restaurant
(window looking over pond)

. Zoning - residential vs. commercial
. Licenses - various administrative agencies
. Employer-employee relationships
- Workmen's Compensation
Is working in a restaurant "hazardous employment" as required by statute
. Labor Law
- strikes, picketing, unions
- unfair labor practices
- judicial and administrative review
- National Labor Relations Board
- pre-emption doctrine
State can't act where Federal government already has.
- civil rights - discrimination
- interstate commerce
- Administrative Agencies (Federal)
Food & Drug Administration
Federal Trade Commission
Interstate Commerce Commission

..Seneca Savings Bank

. Entire area of commercial law
. What are the differences between a savings bank and a non-savings bank?
This is a very current issue with legislation just passed to give savings banks the right to offer checking accounts. Such an examination could lead to a discussion of the legal implications of advertising.

..Seneca Savings Band (cont.)

For example, some savings banks allege that advertising by some non-savings banks tends to be misleading.

. What is credit and what are the legal rights and responsibilities involved?

..Limestone Garden Apartments

. Landlord-Tenant law
  - What are the rights and responsibilities of both?
  - What are the express and implied warranties in a rental situation?
. Civil Rights - discrimination in housing
. Utility and Telephone Company
  - rate determination - How?
  - liability - To what extent?
. Constitutional Law
  What is the Fourth Amendment's protection against unreasonable searches and seizures?

..Gulf Gas Station

. Business operation
  - zoning
  - employer-employee relationship
  - labor law
. Warranties and products and services
  - requirements to be licensed as repair shop in New York State
    What does this mean to consumers?
. What are the tax provisions of the tax law that large corporations can use in order not to pay income tax?
. Who regulates the oil companies? Who should regulate them?
. Pollution questions would fall under environmental law
. Corporate law can be presented in as much depth as desired.

..Maple Lawn Nursing Home

. Who owns and operates nursing homes?
. Who regulates nursing homes?
. Who is responsible for investigating complaints regarding conditions in nursing homes?

..Manlius Elementary School
..Apartment Buildings
..Law Offices
..Automotive Imports
..Residents?

PEOPLE TO TALK TO

..Teller at Seneca Federal Savings Bank
..Town Historian - B. Rivette (Mrs.)
..Veterinarian
..SPCA - animal care at the pond
Humane Society
..Mr. & Mrs. Bex
..Mr. Breckhimer
..Mayor of Manlius
..John Grey - Onondaga County zoo keeper
..Landscape architect - Mr. Ryel
..S.U. Forestry — Mr. Tanenbaum
..Maple Lawn Nursing Home
..School children - all ages
..Pedestrians - Barry Gorden
..Apartment owners - Mr. Malcom N. Fleming
..Postman (women)
..Crossing guards

QUESTIONS TO ASK PEOPLE

..What if Swan Pond were gone? (to be removed)

- *How can Swan Pond be removed?*
- *Who would make this decision?*
- *What standards would be controlling such a move?*
- *Who would review the decision?*
- *Who would have standing to present feelings on the matter?*
- *What happens to the land after removal?*
  Who owns it?
  Who can use it?
- *What are the zoning implications of removal?*

..What if ducks/swans etc. left?

- *Zoning - Has the designated use of the pond changed?*
- *Could new fowl be added to replace the old? If so, how would such a decision be made?*

..Are animals a nuisance? Outside? - Inside?

- *What is a nuisance and what must be proved to establish one?*

..How/when did Swan Pond get there?
..What was it called before it was Swan Pond?
..What the population is of the ducks in the pond?
..Is it well cared for?
..Who does care for the ducks and swans?
..Who gives the ducks and swans to the Swan Pond?

- *administrative law - official records and documents*
- *local government law - municipal maintenance of public areas*

..Do apartments located near Swan Pond make you want to live there?
..Do you feel that the Swan Pond makes your house look more or less attractive?

- *zoning - residential vs. commercial*
- *rental values*
  On what basis can landlords charge or increase rental costs?
  Is proximity to Swan Pond a valid basis?

..Do people use the pond for directions?

THINGS TO DO

..Property search - Court House

- *See page 36 for detailed discussion of legal implications*

..Trace out stream - where does water come from/go

This could involve legal considerations relating to surface water rights

..Trace out stream - where does water come from/go (cont.)

. *If land is left in its natural condition, is a landowner required to prevent stream on his property from running on to a neighbor's land?*
. *Can a landowner change the course of a stream?*
. *Does an upper landowner have different rights regarding stream water than a lower landowner? If so, what are these?*
. *Can a lower landowner dam up a stream which runs on to his or her land?*

..Test the H_2O

Standards would be set and regulated by the Department of Environmental Conservation. Various aspects of administrative law could be examined in this context.

..Types of food for animals
..Trace the deed to the house that was moved
..Measure the pond
..Aerial map - Mr. Mann
..Advertisements (Eagle Bulletin - Pennysaver)

. *Who regulates the accuracy of advertisements?*
. *What remedies are available against a false advertiser?*

For a superb investigation into this area on an issue that anyone can relate to, read the April 12, 1976 issue of the Village Voice. The article is entitled: "Consumer Beware: How Government Agencies Fail to Protect the Users of Cold Remedies, Analgesics, Mouthwashes, Sleep-Aids and Other Family Drugs - Over 200,000 Products Have Not Been Proven Safe or Effective!"

..Tape sounds of Swan Pond
..Xerox newspaper articles
..Visit libraries for data on Swan Pond

SEASONS

..Reactions of people
..Reactions of animals
..Where swans/ducks go
..Season effect on food for animals
..Uses of pond during different seasons

TOURIST/COMMERCIALISM

..Swan Pond attractions?
..Swan Pond a sign of beauty?
..Swan Pond landmark?
..Where do people come from who visit the pond?
..Do businesses around the pond use it to advertise?

PHOTOS

..Map or photocopy of Swan Pond
..Pictures of inlets and outlets
..People feeding ducks
..People associated with Swan Pond
..Photos of past and present
..What it's used for
..Buildings around Swan Pond and how effected
..Pollution
..Construction
..Noise pollution
..Ducks in action!
..People interviews

EVENTS AT THE POND

..Fishing Derby
..Ice Skating
..Lighted tree at Christmas
..Ceremony

ANECDOTES

..Ask people for stories about the pond

PRESENT

..Pollution?
(Noise of passing vehicles)
..Metal Fence

PAST

..What was it called?
..76 years old?
..Mill - house (lot)
..Share Your History Day
(Photocopy)
..Swans Brought in '58
(Ducks etc.)
..Animals mistreated - Had to
leave?

FUTURE (SCENARIO)

..What will happen to Swan Pond
..Pollution
..Improvements
..Improvements on noise
..Improvements or adding a bridge
or deck for people
..Improve the fence (wooden)
..More fish and plants

DECISIONS WE HAVE TO MAKE

..What are we going to do with
our information we collect?
..How to present it?
..Exhibit materials, for whom?

(Regulatory sign at roadside/pondside.)

Questions about the pond's history and its future arose along with discussions of possible uses for any products of the project, such as photographs and interview tapes. (See Project Planning Sheet.)

Ads were planned, written and edited by a subgroup in order to enlist help from the general public. (See Ad Sheet, page 16.)

A second subgroup returned to the vicinity of the pond and called upon occupants in each of the neighboring businesses and residences. Many of those at home agreed to be interviewed on the following Wednesday. All of those called upon were alerted to the study and agreed to cooperate as best they could; some offered other leads to information related to the pond.

Another subgroup used the telephone to seek answers to certain technical questions raised in the brainstorming. They also called a number of key informants to explain the group's purposes and asked for appropriate times and places for interviews.

A few participants updated the other team teachers on the day's events. The teachers returned to the project headquarters for an onsite briefing and planning for the next workday's activities. The students' initial scope for the project had been established, and an esprit d'corps had developed.

Day 2 The second teacher and the project students met at project headquarters for briefing concerning folklife interviewing. Students in pairs practiced gathering bio-data from each other. The interprersonal aspects, such as establishing rapport, "reading" the informant for procedural clues, and achieving the goals of a given interview, were reviewed. (See Interview Form on p. 17.)

The photographers went to document such aspects of the pond as the uses being made of it. As photographers, they were to be on standby should interviewers uncover material deemed worthy of photo-recording. The students who were to be interviewers designed an appropriate questionnaire for business people and residents who were pond neighbors, drawing upon ideas listed during the previous day's brainstorming.

Students then went in pairs with each partner's role predetermined, to keep prior appointments. They were well received, where prior arrangements had been made, although one informant indicated that he had little to give, except to suggest other informants.

Eagle-Bulletin

DeWitt News-Times

Vol. 87-14 No. 7

February 12, 1976 FAYETTEVILLE, NEW YORK 25c Copy

Letters to the Editor

Ask for Swan Pond information

To the Editor:

Several students from Wellwood Middle School are researching the Swan Pond in Manlius. We think this is a worthwhile project. We will greatly appreciate any information of the past or present and opinions of the Pond's future. This includes, pictures, plans or any kind of reference. All materials will be returned.

We have interviewed nearby neighbors of the pond and would be glad to interview others who have stories to tell about the Pond. To contact us please call Wellwood Middle School (637-3124) and ask for Mr. Loosmann or Mr. Roberts on February 12 or 13.

Thank you for your cooperation.

"OPERATION SWAN POND"

FAYETTEVILLE-MANLIUS

Pennysaver

241 East Seneca Street
Manlius, N.Y. 13104
Phone 682-2942

Circulation 7800- complete coverage
Fayetteville, Manlius, Lyndon, Oran

Published Each Wed. by:
Linwood & Barbara Starratt

FEBRUARY 18, 1976

Several 7A Students at Wellwood Middle School are interested in the past, present, and future of the SWAN POND in Manlius. You may say "It's for the birds!" We don't agree. As a matter of fact we're up to something, and we're asking for help. We are asking for information about the pond from you. If you have any pictures, paintings essays, experience, special knowledge or ideas about the pond we would greatly appreciate it if you would contact us. We will photocopy materials and return them to you. Please call Wellwood Middle School 637-3124 and ask for Mr. Loosman or Mr. Roberts during school hours. Call Peggy at 637-8252 or Mary at 637-5448, evenings and weekends. Thank you for your cooperation.

February 11, 1976

WE NEED HELP! A group of students from Wellwood Middle School are doing a project about the Swan Pond. We need some specific information such as: PHOTOS & STORIES about the events at the pond: ...The Fishing Derby... The draining, remodeling and the opening of the pond...Ice skating on the pond...Earlier uses of the pond...ideas for the future of the pond. Can you provide us with photos or information? Call the Wellwood Middle School, 637-3124, and ask for Mr. John Loosman or Mr. Rhys Roberts. Pictures may be dropped off at the Manlius Library on Thursday or Friday, 2/26 or 2/27 with owners names attached. They will be photocopied and may be picked up by owners the following week.

February 25, 1976

WANT ADS

THEY NEED YOUR HELP-A group of students from the 7A team at Wellwood Middle School are studying the"Swan Pond"in Manlius. They would like to know if anyone could contribute or loan them information and/or pictures from the past and present concerning the pond. They also would like to interview people who have knowledge about the "Swan Pond". If you can help, PLEASE contact Wellwood (637-3124) and ask for Mr. Loosman or Mr. Roberts (days), Beth McKibbin (637-3371) or Rhonda McBurnie (637-6953) evenings.

FAYETTEVILLE-MANLIUS SCHOOL

NEWS

FEBRUARY 1976

FOLKLIFE INTERVIEW
TAPE SUMMARY AND PERTINENT SUPPLEMENTARY DATA

General Subject _____

Informant _____

Interview type _____

Where taped _____

Date of taping _____

TAPE SUMMARY

Describe the material contained in the tape in general terms. Add any information gained from the interview that is not self-explanatory.

*

PERTINENT SUPPLEMENTARY DATA

Give a general appraisal of the conditions of the interview. List any factors that qualify the taped information.

(*On form used in study, more space was provided.)

******

FOLKLIFE INTERVIEW
FOOTAGE RECORD

General Subject _____
Sheet No.

Informant _____

Interview type _____

Where taped _____

Date of taping _____

Footage (at _____ i.p.s.)		Topics
000	to _____ **	
_____	_____	
_____	_____	
_____	_____	

Use additional sheets, as necessary.

(**On form used in study, more spaces were provided.)

(Oral interview team.)

(Tape recording sound. Documenting a source of air pollution and of noise pollution.)

(Planning and Action devices.)

EXAMPLES OF NEWSPAPER REFERENCES
SWAN POND PROJECT

May 16, 1947 - Commercialism of Pond brought up
May 23, 1947 - Commercialism is refuted
Oct. 15, 1948 - Swan Pond Snackery - Gallinger/Claude Cook
Dec. 30, 1949 - Seymour Swan Restaurant
Jan. 12, 1950
May 3, 1951 - News article, Village of Manlius gets Swan Pond as a present from Cheney family
March 6, 1952
April 24, 1952 - Ad on Swan Pond Snackery Opening
Nov. 6, 1952 - Article
Nov. 20, 1952 - Deed
Dec. 1, 1953 - Article (another change)
Sept. 24, 1953 - Column Manlius Memo's - Complaining about conditions of pond and treatment of animals
July 8, 1954 - Article on history of Manlius
Feb. 10, 1955 - Article, Whitmann bought Swan Pond Snackery
Dec. 22, 1955 - Article about decorating Swan Pond. Lowenburg opposed gas station. Traffic doubled. Park & Recreation only
March 29, 1956 - Article on Mayor
April 18, 1957 - Manlius Memo's - Manlius Milk Bar
May 2, 1957 - Right Around (R.A.)
July 18, 1957 - Ad on opening of ice cream shop
July 25, 1957 - R.A. - Shopping Center
Oct. 31, 1957 - Article
Nov. 14, 1957 - Article about ducks National Coverage Grand Opening at P. & C.
Jan. 30, 1958 - Article
March 13, 1958 - Classified Ad on sale of Swan Pond Snackery
April 10, 1958 - Article on Annual Village Meeting
May 15, 1958 - Article
May 29, 1958 - Ad about Village
June 12, 1958 - Ad and Article on Cooks
July 24, 1958 - R.A.
Aug. 14, 1958 - Article
Sept. 18, 1958 - Article
Sept. 25, 1958 - Article
Nov. 6, 1958 - Article
June 25, 1959 - Article
July 2, 1959 - Article
Sept. 10, 1959 - Article
Jan. 21, 1960 - Classified Ads
Sept. 22, 1960 - Photo
Jan. 26, 1961 - Ernst & Cooper Ad
June 15, 1961 - Ad for Cooks
Feb. 1, 1962 - Ad for Willow Brook Gardens
June 7, 1962 - Article on Manlius Spade and Trowel Club
June 28, 1962 - Cooks Ad
July 18, 1963 - Article by Rev. Lynch
Nov. 19, 1964 - Article
Dec. 10, 1964 - Article on traffic
June 17, 1965 - Article
Jan. 19, 1967 - Ad for What's Your Beef
March 23, 1967 - Ad for Johnny's Pizza
April 6, 1967 - Photo of What's Your Beef
Feb. 29, 1968 - Article on Brief History
March 21, 1968 - 1921 Photo
Aug. 22, 1968 - Photo
May 29, 1969 - Photo
Aug. 21, 1969 - Article
Sept. 25, 1969 - Article on Cooks

Note: There might be more because informant said there were quite a few in the last few years or so. Check more recent newspapers.

Tapes were logged so that material could be classified, and later reviewed. In making written records of the dialog for each other, students shared techniques of interviewing. Notes were made about technical problems needing correction in the future. The back-up equipment of clipboard, paper and pencil proved useful to some who had difficulties with recorders.

To plan interview assignments, one student used a village map and telephone book to list persons residing near each other and within village limits. Each student was asked to phone and set up two interviews. Another questionnaire, peculiar to informants' anecdotes, historical recollections and feelings of identification with the pond was designed, again with reference to the initial planning sheets. New questions suggested by the initial field experiences were added to the listings.

An appointment was made with a geographer, who was studying changes in the Manlius business district. Having read 30 years of back issues of the local weekly newspaper in the course of his doctoral studies, he noted he would be able to give students a listing of references relative to the Swan Pond. An appointment was set up with the town historian, too. A student reviewed his notes to identify sources of value to the group.

Day 3 A third member of the teaching team took charge of a day of library research outside the Manlius community. The project group was divided in two, one half to delve into the Fayetteville Free Library local newspaper collections under supervision of a teacher's aide. The rest of the students and the teacher went to Syracuse University to see what could be found in microfilms of metropolitan area dailies and in the University archives.

The Fayetteville group made Xerox copies of all the references indicated by the geographer, and found a few more on their own. They heard that the library planned to microfilm its collections and saw the advisability of the move after handling the old bound volumes. While there, they examined the few standard volumes on local history, village, town, and county, which they found contained no mention of the pond. A vertical file of localized material contained few references to the pond.

Students learned through phone calls that the Syracuse Herald-Journal and Syracuse Post-Standard, area dailies, did not keep complete files for background data and had discontinued storing back volumes at the time they relocated into a new plant a few years previous. Syracuse

Public Library had fairly complete collections of old newspapers from the mid-19th century, partially on microfilm. The University Library had been the recipient of papers removed from the newspaper offices themselves, but also had issues available on microfilm. Little was found in this newspaper review. Two students checked out the archives of the Geography Department at the University and discovered several theses concerned with the Manlius area, none pertaining to the Swan Pond. Some cartography relative to Manlius was discovered, but little new light was shed on the Swan Pond. Librarians made reference to the Onondaga Historical Association as a proven source of historical data from local periodicals. (See page 19 for list of newspaper references.)

In response to advertising and other contacts, a few phone calls came in. Some material, principally pictures, and leads to knowledgeable informants were volunteered. A list of key informants was beginning to take shape.

A postman, now retired, who had walked the Fayette Street route by the Swan Pond for years was cited as a key informant, along with some others. He was located through contact with the postmaster, and agreed to be interviewed. (See questionnaires on page 22.)

As a member of the Manlius Rod and Gun Club and as a volunteer fireman, the postman had played a leading role in planning and implementing adaptive uses of the pond from time to time.

A former pond owner imparted some background information but chose not to be interviewed by students. He had written a history paper years before on the Cheney Industries, based largely on his grandfather's recollections. That and most of the business records had been destroyed in a fire. He alluded to problems of water impurity in the days before a village sewer system was installed, cleared up some conflicting data about location of an early grist mill using the pond, and he made known the existence of several artist's renderings of the pond.

Day 4 Another member of the teaching team took the project group to Pleasant Street headquarters, assigned equipment and dispersed students to neighborhoods to keep interview appointments with older residents. Students were to report to the Manlius Library as they completed their tape recording assignments. Arrangements had been made to examine local history holdings as had been done in Fayetteville.

A few students who were less successful in lining up informants were redirected. One pair sought brief

NEIGHBOR'S QUESTIONNAIRE

(For businesses/residents that border on the pond)

Bio Data:

Name

Address

Place

1. Who uses the Swan Pond?

2. How do people use the pond?

3. What does the pond do to help/hurt business?

4. Do you have any stories about the pond you can tell us?

******

OLD RESIDENTS' QUESTIONNAIRE SHEET

Bio Data:

Name

What is or what was your job?

Native or not

When did you arrive in Manlius?

Where do you live?

1. How old is the Swan Pond? How long have you known about the pond?

2. What was it called before they named it the Swan Pond?

3. Who uses it the most? How do they use it?

4. When did they put the animals in the Pond? How did they get there?

5. Who cares for the swans and ducks during the different seasons?

6. Has anyone ever abused the animals?

7. What other buildings have been near the pond? Mills? Businesses? Residences?

8. What events have taken place on or near the pond? Fishing derby? Ice skating? Lighted tree at Christmas? Dedication ceremony?

9. Do you know any stories about the pond?

10. How do you feel about the pond? What do you think it means to others?

11. How would you feel if they put something in place of it?

12. What do you think could make it better?

13. If you could give it a new name what would you give it?

impressions from merchants located on a principal street away from the pond, for imagery data to compare with that from the pond neighborhood survey. Another group called on the Manlius police, seeking information pertaining to public use of the pond over the years and misuse of the facility. Some of the anecdotes reported correlated well with stories uncovered elsewhere; others varied. At the police department, students discovered the use of swan pictures on village stationery and on the official arm patch on police uniforms. The officers did not know when the swans first appeared in village iconography.

The Manlius Library book collections led students and teachers to the conclusion that the pond had been ignored in historical accounts for most of its existence. The caption on a photograph of the pond in "Onondaga Landmarks," a 1975 publication of the Syracuse and Onondaga County Planning Agency, gave 1804 as the date the pond was created. A library volunteer, in the process of cataloging history-related material accepted from donors for years, was able to describe the history material to some students. The rich picture collections indicated Manlius had a very active photographer documenting his community for about 40 years who hadn't overlooked the pond.

Arrangements were made to hold a "share your history" session at the library. The public would be invited through advertising to lend pictures to the library long enough to have them photocopied. A project student already familiar with the process, would do the work with one other student, and return the originals to the owners.

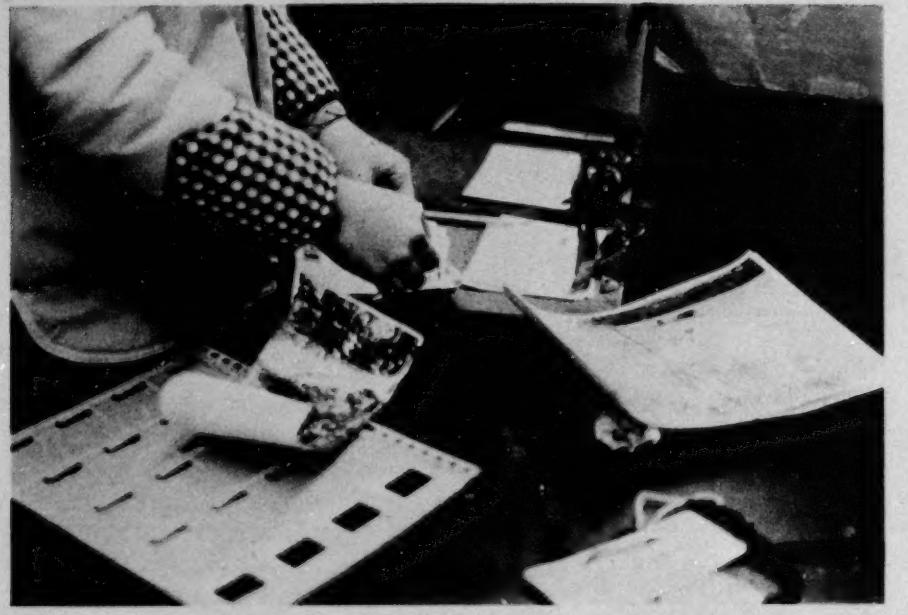
Day 5 With three project days remaining, the teachers had decided it was time to start drawing things together. One teacher directed a small group to start scanning Xeroxed materials, comparing them to the original planning sheets. Another group listened to the most recently recorded interviews, reviewed the log sheets of earlier tapes, and checked material in hand against the earlier plans. The two groups were to suggest ways to categorize the materials collected for subsequent utility.

The photographers examined techniques employed in some picture portfolios distributed by the New York State Council on the Arts, "Main Street," "The Erie Canal," and "Open Space in the Inner City," which gave them new perspectives. They returned to the pond with a model for possible pictorial documentation of the pond in mind, cameras in hand.

Two students kept an appointment with the lawyer who owned a house, which had been removed from pondside to Pleasant Street when the owner sold the property to the

(Photocopying at the library on "Share Your History" Day.)

(Recording data relative to picture sources at library on "Share Your History" Day.)



(Matching old photos and new slides to photographic records of Operation Swan Pond.)

QUESTIONS FOR THE TOWN HISTORIAN INTERVIEW

1. How would you, as town historian, go about investigating the Swan Pond...its past etc.? Describe the process a professional historian would use.

2. What do you have in your official archives that would be of help to us in our project? May we borrow or copy materials?

3. There are several specific issues we've come up with and need your viewpoint on:

   a) Tell us about the mill (Wright's or Costello's) on the end of the pond.

   b) Was the Bex house ever in another location other than where the bank now stands?

   c) Could you tell us some stories about: the pond's dedication; ice skating on the pond; vandalism; humorous/sad incidents; fishing derby?

4. Who would be good informants for us to contact?

Seneca Federal Savings Bank for their new structure. He produced an abstract, a 100 year title search on the property, which he permitted the girls to borrow for copying purposes. It corrected some erroneous popular impressions uncovered earlier, as well as adding new information and giving support to already collected data. (See pages 36-42 for the title search.)

In a group planning session, it was decided that four main categories would encompass most of what had been collected.

PHYSICAL - site descriptions from the past and present, verbal and pictorial.

HISTORY - origin of the pond, sources of water, adaptive usage of pond and watercourses, events involving the pond, changes of ownership.

IMAGERY - peoples' feelings about the pond, its several meanings for them as a community element in past, present, and future.

SCENARIO - personal recommendations for the pond and its environs, projections of the probable effects of local actions or inaction with regard to the pond.

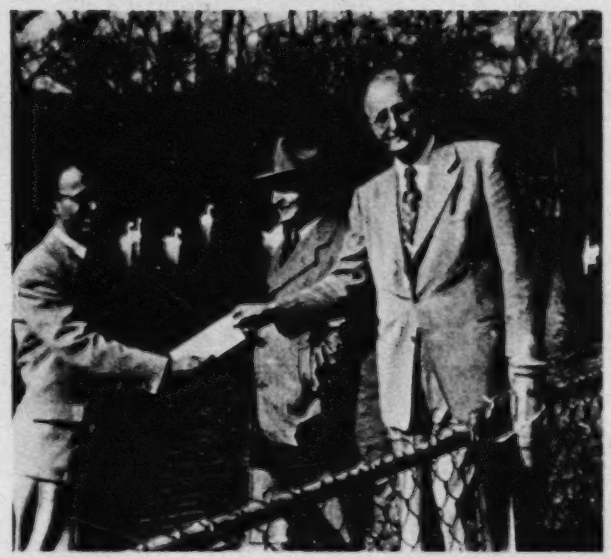
To process the information, index cards would be filled out for each information source, containing reduced notes within one of the categories with the source identified. Cards from all sources would be sorted into four folders, thus permitting a later synthesis, or any of several sub-syntheses, of the material. It was not a "fun" part of the project to be sure, but it did afford participants a way to get a fuller awareness of the many pieces of the data in whose collection they had not personally been involved. There was a great deal of old resident interview material that had to be logged prior to processing the material onto cards.

One teacher went upstream on Willow Brook with some students tracing the pond water towards its source. Others interviewed the town historian.

Day 6 Processing materials continued. As a break from the pencil and paper work, and as an aid to the analytical processes involved in it, group discussion of product outcomes took place. How could the project be wrapped up? What relevant possibilities for feedback into the life of the community were there?

(Plague donated to Village offices in 1975; Woodburning art depicting Manlius in the Bicentennial year. Shows ox cart and wagon on two roads whose intersection became village's first center, and two early buildings and Swan Pond scene in foreground.)

(Water color landscape of Swan Pond.)



(Shows transfer of deed for property to be used as a park from the former former owner to the mayor.)

(Water color depicting "Mill" for which the Swan Pond was created.)

(Closeup of shoulder patch of Police Department's uniform.)

An exhibition could be prepared. The many visuals and sounds lent themselves to such an outcome. It could be set up outdoors during the Memorial Day parade which goes right by the pond. June 12th was an alternate or additional date to exhibit at the pond itself. The Village Bicentennial Steering Committee was pointing toward open houses and walking tours within the recently declared National Landmark Historic District in the village. Either event would ensure a sizable audience for a show. The grand opening of the new Manlius Museum had also been scheduled for June 12th. An exhibit might subsequently be arranged there.

A written synthesis of all that was learned in the course of the project could result. It might be broken down into several component stories — animals on the pond, the pond as a landmark, a subject for public/private community endeavor, etc. Feature stories could be written about the pond and/or Operation Swan Pond, or simple summary statements could be prepared in each of the four categories for archival purposes.

A rotogravure section in the local paper could be prepared. A portfolio of pictures might be put together for publication.

The act of publishing something opens up the areas of copyright law and Federal jurisdiction. Copyright law is a separate legal area which can be explored in as much depth as desired. Certain preliminary matters are:

- *What is copyright?*
- *How does one obtain a copyright?*
- *Is it fair and just that only published materials can be copywritten (i.e., Is this not discrimination based on wealth? This is a constitutional law question.)*
- *Who protects copyrights?*
- *What remedies are available against someone who violates a copyright?*

Copyright questions will fall under the jurisdiction of the Federal courts.

- *What are the differences between State and Federal courts?*
- *When can a person sue in Federal court?*
- *What causes of action arise under Federal law?*
- *Is there a requirement for a dollar amount of damages before a Federal court has jurisdiction in a copyright matter?*

. *If a particular Federal court had jurisdiction of a copyright matter, could suit still be maintained in State court? If so, what are the advantages of maintaining a suit in the State court?*

Group conclusions on appropriate community steps involving the pond's future might be presented to the village board for consideration.

Whatever the chosen follow-up, an immediate twin task of writing copy and assembling photographs would be advisable. Students agreed on their responsibility to preserve and package all the raw data collected during the project. It would remain to be seen whether the local library, local museum, or the Onondaga Historical Association would become the responsible repository for the materials generated.

The postman came to the project headquarters to be interviewed, and to provide documentary materials to be copied. One student prepared copy for an ad in the Pennysaver relative to the share-your-history session.

Day 7 The day's activities consisted mostly of the data processing chores the group had yet to complete. Interspersed was an exercise wherein each participant was asked to sketch his scenario notions for others to visualize. Several students used tape recorders to collect sounds. They wanted natural sounds — running water, ducks quacking and the like, as well as such intrusive noise as traffic sounds. They sought also to identify and document environmental pollutants and their sources insofar as this might be useful in supporting future recommendations.

This would fall under the area of environmental law which in New York State falls under the jurisdiction of the Department of Environmental Conservation. It should also be made clear that there is a Federal Environmental Protection Administration. In this regard, the following legal considerations arise:

. *What is the jurisdiction of both?*
. *Who sets the guidelines in each?*
. *Who has standing to sue in each?*
. *When is the State preempted by Federal action?*
. *What can be done to stop polluters? (The General Electric PCB case is a good example for study.)*
  - *Is a monetary fine sufficient especially for large corporations who will merely write off fines to reduce their payment of income tax?*

- *Is closing down the business a proper remedy? This raises the ongoing dispute between the Department of Environmental Conservation which seeks to protect and preserve the environment and the Commerce Department which finds any loss of jobs as a direct result of legal sanctions for pollution as unacceptable.*
- *How should the law distinquish between the reparable and irreparable environmental damage?*
- *What should happen to a polluter who has known for 5 years that it has been emitting toxic pollutants into the environment and yet has not attempted to remedy the situation and has intentionally failed to inform the Department of Environmentai Conservation of this?*

. *Who owns the environment? public vs. business*

While the objective of the day was to conclude all the tasks so far undertaken and withdraw from the project headquarters, it was obvious there would still be some loose ends. It was decided that closure, for its own sake, was not important. The following week, was a midwinter vacation period, when about half the group would be available, if called upon, to tackle certain aspects of the plans yet to be completed. Continued use of the facility was arranged for. Tentative dates were made with individual students for a few more key interviews, a trip to the county clerk's office and a check of records at the county historical society.

Post-Project Days

A student and teacher spent the better part of a day at the courthouse, digging out deeds, property transfers and such. He uncovered records of the revolutionary soldier who drew the pond site as a part of his pay for military service. Sharper delineations of land plots resulted. Hitherto vague information about the farmstead from which the pond property was taken came into focus.

Reference to soldier - This opens the entire area of military law:

- *How does military law differ from civil or criminal law?*
- *What is the concept of justice in each?*
- *Do all provisions of the United States Constitution apply under military law?*
- *What is a court martial?*

On another day, several profitable hours were spent at the Onondaga Historical Association, which had available both a clipping file and a picture file on the Swan Pond. Students were also shown a series of maps of Manlius village and of the military tract. Mayor Keith Morgan of Manlius was interviewed.

Many issues of local government law are raised.

- *What is the power of each?*
- *From where is this power derived?*
- *Do any of them have powers of adjudication? If so, to what degree?*
- *How are each of these selected?*
- *Who reviews their decisions?*
- *What standards do they use in making decisions?*
- *What role does the taxpayer play on their operations and decisions?*
- *What political party or parties do these people represent?*

Mrs. Mary Jane Mercier, the village clerk, who has in her office numerous swan illustrations, Audibon prints, and poster-sized colored photos, agreed to make her wall hangings available on "share-your-history" day. She explained that use of village records would be difficult because inactive files were in remote basement storage. From memory she cited several former village officials who could supply first-hand knowledge of pond-related civic actions.

School resumed sessions. Although the project group was not slated to remain as an instructional entity when school resumed after the winter holiday, it met and made plans to visit the pond for observations of animals and people in other seasons. The group talked about ways of providing specific feedback into the community, and identified incompleted tasks from the initial planning which it would still like to tackle. An additional day of project work was scheduled.

The Last Day

Additional interviews were recorded, one with a former village trustee who had actively opposed commercial development in the vicinity of the pond, and another with a former mayor under whose leadership local civic organizations, village governments, a private foundation and individual citizens had combined forces to effect a major renovation of the Swan Pond into a park facility. A citizen whose grandfather had operated the red mill, for which the pond was constructed, dug out

some family archives including a painting of the pond circa 1900 and a photo revealing the millrace in front of the Costello home below the pond. Hers was an interview felt a must for the last trip to Pleasant Street.

Reference to commercial development

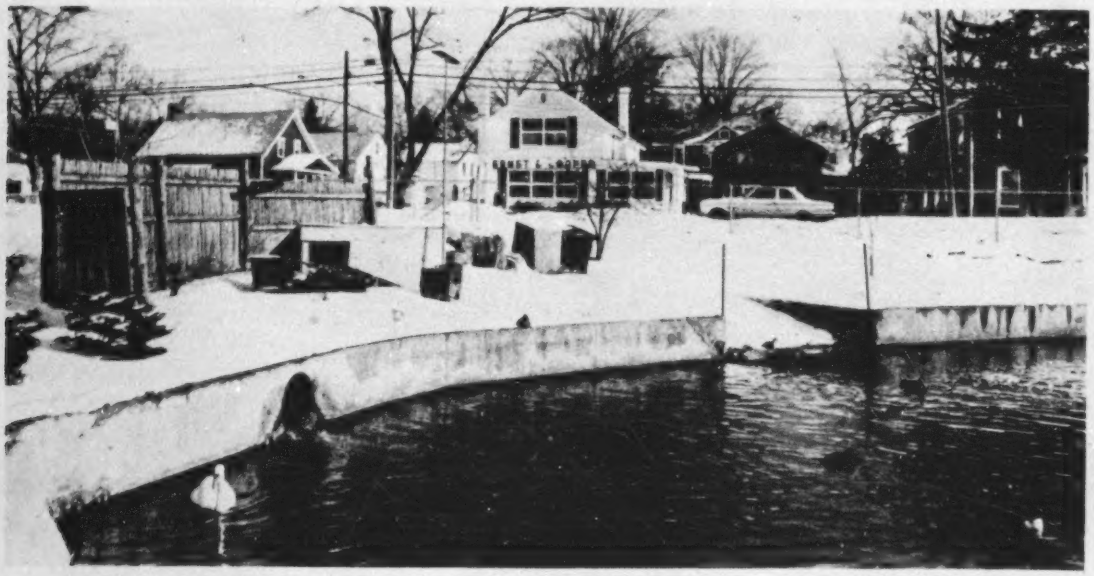
This presents the legal area of zoning which can be approached as desired.

The main business was completing loose ends, packing up gear, and restoring the headquarters to previous condition. Some participants who had missed earlier project days completed work only they could handle. All agreed to write a single paragraph personal scenario for the pond.

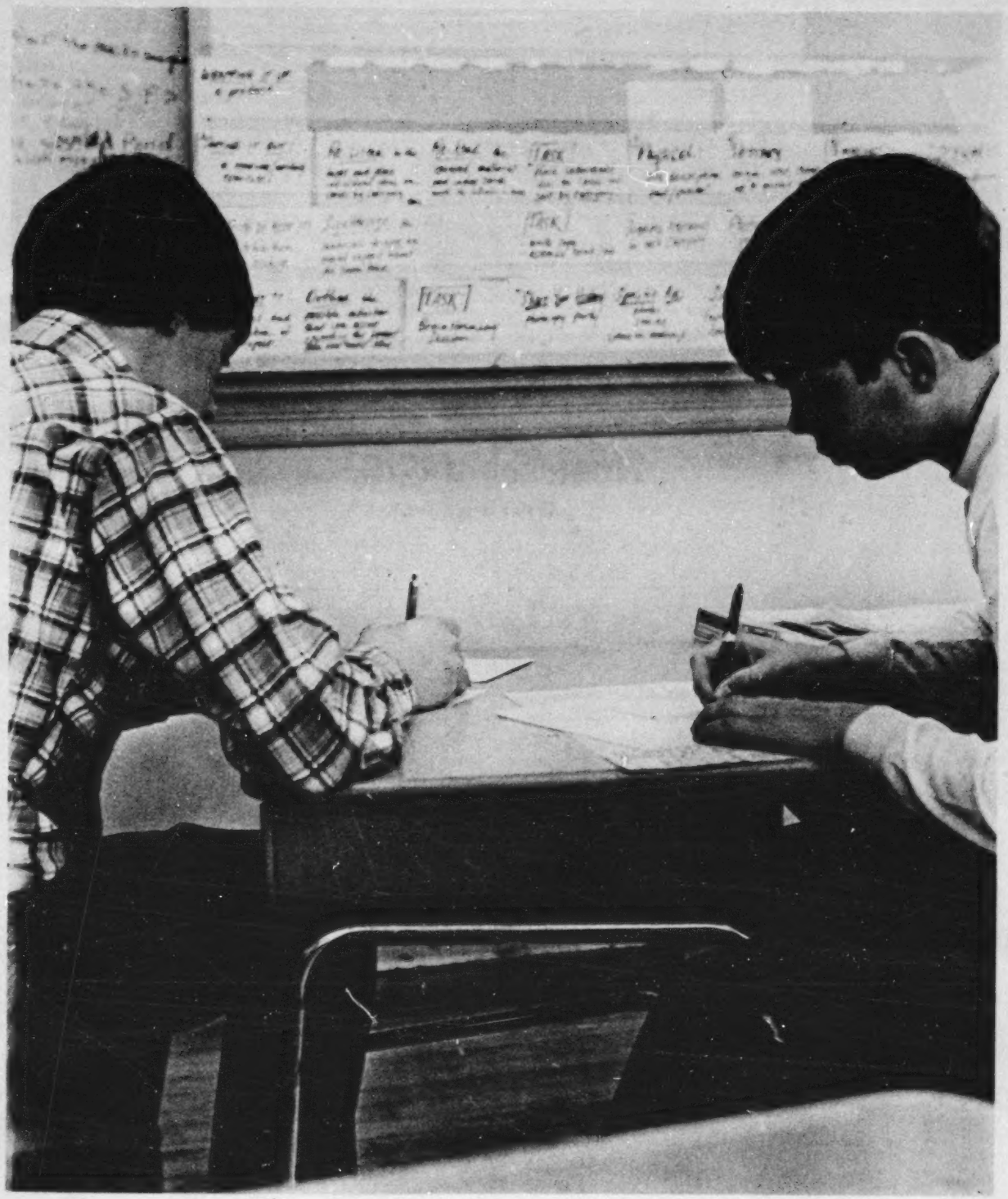
Share Your History Day

When the day arrived, a respondent to the Pennysaver ad walked in with several generations of family records she'd always meant to examine. She was a descendent of the Lambs, who occupied Willow Brook Farm, adjacent to the Swan Pond prior to Civil War days. Only a little of her material was pertinent to the study, but several hours of give and take about the usefulness of the material to particular history agencies and the services they could afford her ensued.

Samples of interviews and reports can be found on pages 53-64, in the appendix.



(View of north end of Swan Pond, with nesting shelters for swans, geese, and other nonmigratory fowl.)



(Processing data from back issues of newspaper to categorize cards as part of synthesis of Swan Pond information.)

Law school students take many courses in order to understand the many implications of a property or title search. The class might read over the many entries in the document on pages 37-42, and raise questions about the various items. Included in their questions might be the following:

- *the purpose of this document as a whole*
- *the kinds of information that must be found and recorded (for example, survey information; changes in ownership by will or other legal transfer; unpaid taxes)*
- *why the survey information might be different, in different time periods*
- *why a person purchasing or receiving ownership of a piece of property would need a title search*

After the questions have been prepared, invite an attorney to discuss with the class these and other questions concerning property ownership. Send him a copy of the title and the student questions in advance.

Monroe Abstract & Title Corporation

Abstract of Title

TO PREMISES OF

Margaret J. Fleming

Situate in Town of Manlius

Part Farm Lot 86

Onondaga County, N. Y.

OFFICE
333 EAST ONONDAGA STREET
SYRACUSE, N. Y.

PHONE HA 2-9111

An Abstract of Title to, and Incumbrances

On Part of Lot Number 86 *in the* Town *of* Manlius *County of Onondaga, State of New York, since* March 17, 1868. 8 a.m. *as shown by the records in the office of the Clerk of said County.*

I. TITLE

	Palmer H. Curtiss and	) Warranty Deed
	Fanny his wife	) Dated December 23, 1867
1	to	) Consideration $250.00
	Hiram Hopkins and	) Conveys all that tract or
	Benjamin F. Hopkins	) parcel of land situate in
		the Town of Manlius, and

being a part of Great Lot No. 86 in the town of Manlius Onondaga County, and State of New York, bounded and described as follows:

Commencing at a point in the center of the road running from Manlius to Fayetteville, and running westerly 3 chs. and 14 lks. along Martin T. Barnums land to a stone, thence northerly in the center between two rows of apple trees 1 ch. and 44 lks. to a stake, thence easterly 2 chs. and 96 lks. to the centre of the road, thence 1 ch. and 83 lks. along the centre of the road to the place of beginning, containing about 82 square rods of land, be the same more or less.

EXCEPTING therefrom, all the land rights and privileges heretofore deeded by Sylvanus Tousley to John Rowling and all the rights and privileges for the highway.

Recorded March 17, 1868.
Book 169, page 104.

Lydia M. Hopkins) Quit Claim Deed

2 to) Dated December 17, 1873

Hiram Hopkins) Consideration $383.81

Conveys the premises

described at Abstract No. 1.

Recorded February 4, 1874

Book 193 page 389.

Hattie Hopkins and) Guardian's Deed

Sarah L. Hopkins, infants) Dated December 17, 1873

under the age of twenty-one) Consideration $741.19

years, by Lydia M.Hopkins,) Conveys the premises

their Special Guardian.) described at Abstract

3 to) Number 1.

Hiram Hopkins.)

Recorded February 4, 1874

Book 193, page 389 &c.

Palmer W. Curtis and) Warranty Deed
Fanny his wife) Dated February 20, 1869
4 to) Consideration $250.00
Hiram Hopkins) Conveys all that tract or parcel of land situate in the town of Manlius, County of Onondaga, N.Y. being part of lot No. 86 in said town described & bounded as follows:

Beginning in the center of Canal Street in the Village of Manlius 1 ch. and 1 lk. north of the center line of Pleasant street, thence south 66° 45' west 2 chs. and 97 lks. thence south 27° 30' east 1 ch. and 45 lks. thence south 73° and 30' west 1 ch. and 33 lks. thence north 29° 30' west 2 chs. and 33 lks. to Martin T. Barnums north east corner, thence east to a Hub in the west Bank of the Dyke 24½ feet north from Hopkins north line, thence east 59 feet parallel with Hopkins north line to the center of Canal street, thence south to the place of beginning, containing about half an acre of land,

Also the right of way on the north side of the described land for a road reserving all the privileges conveyed to the owner of the mill now owned by John Costello.

Recorded March 3, 1869
Book 174 page 227 &c.

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Last Will) Dated Nov. 21, 1872

5 of) Proved April 27, 1874

Hiram Hopkins) After provision for the payment of debts, &c. and after certain bequests of personal property he gives devises and bequeaths the rest, residue and remainder of his estate to the following persons in the amounts set opposite their names:

His daughter, Merab A. Hopkins	one fourth
His daughter, Laura G. Hopkins	one fourth
His daughter, Adell Tillotson	one fourth
His Granddaughter, Hattie Hopkins	one eighth
His Granddaughter, Sarah Hopkins	one eighth

Appoints Franklin H. Dewey Trustee to receive and take charge of the share of Laura G.Hopkins.

Appoints his daughter Merab A. Hopkins, Executrix with power of sale of real estate.

Recorded May 16, 1890

Book 6 Wills, page 205 &c.

---------###---------

Merab A. H. Read,(formerly Merab A.Hopkins) Hattie A. Buell,(formerly Hattie Hopkins),Sarah L.Allston,(formerly Sarah Hopkins), and the said Merab A.H.Read,individually,& as Executrix of the Last Will and Testament of Hiram Hopkins, deceased.) Executor's Deed

) Dated June 29, 1887

(Consideration $1525.00

) Conveys the premises described at Abstract Number1, ALSO other lands.

6 to Dell H. Tillotson) Recorded July 14,1887

) Book 255 page 429&cc.

Sheet No 1.

ONONDAGA COUNTY, ss.:

MONROE ABSTRACT & TITLE CORPORATION, organized under the Insurance Laws of the State of New York, hereby certifies, that upon an examination of the records in the Onondaga County Clerk's Office, by means of the ALPHABETICAL INDICES thereto, to Deeds, Mortgages including Loan Commissioners' Mortgages and Lis Pendens, Sheriff's Certificates of Sale from 1857, also Conditional Bills of Sale of Chattels affixed to real estate during the three years last past, Federal Tax Liens since September 1, 1925, Public Welfare Liens since March 14, 1934, State Criminal Surety Bond Notices since February 25, 1936, Individual Surety Bonds or Undertakings since August 31, 1942,

Unpaid State and County Taxes 1958 to 1970 Inclusive.

Unpaid City and Local Taxes

Collector's Bonds during the last three years and Mechanics' Liens during the last year, the following were the only instruments found affecting, or appearing to affect, the title to the premises described in No. Fourteen above.

(Continuation)

No. 19

Malcolm N. Fleming and
Margaret J. Fleming, R.D. 2,
Manlius, New York

to

Margaret J. Fleming R.D. 2,
Manlius, New York

Warranty Deed with
Lien Covenant

Dated October 21, 1964
Ack'd April 5, 1965
Cons. $1. &c.
Rec. April 20, 1965
at 9:46 A.M.
Revenue Stamps: None
Book of Deeds No. 2243
Page 451 &c.

Conveys: The same premises described in No. Fourteen above.

Also, All that other tract or parcel of land situate Lot 86 in the Town of Manlius, bounded and described as follows: Beginning at a point in the center of Fayette St. in the Village of Manlius N. 29° 15' W. 91± ft. from the intersection of the center line of Fayette Street with the center line of East Pleasant St.; thence S. 70° 47' W. from said point of beginning 67 ft. to a point along the north line of the lands of Malcolm N. Fleming and wife, as described in a deed recorded in Onondaga County Clerk's Office August 20, 1959, in Book of Deeds 1964 at page 250 &c.; thence S. 82° 30' W.. Also along the north line of Fleming as described in hereinbefore mentioned deed 22.7 ft. to an iron stake; thence N. 60° 45' E. 57.4 ft. to the west line of Fayette St., thence continuing N. 60° 45' E. a distance of approximately 33.4 feet, more or less to the center line of Fayette Street in said Village of Manlius; thence S.

Sheet No. 2.

29° 15' E. 20 ft., more or less, to the point and place of beginning, according to a survey map made by Jack W. Cottrell dated September 21, 1959.

Sheet No. 3.

AND FURTHER, that upon such examination as aforesaid the following persons are searched against for the periods set opposite their respective names, viz:

Malcolm N. Fleming, from December 16, 1959 to April 21, 1965.

Margaret J. Fleming, from December 16, 1959 to date hereof.

Sheet No. 4.

And that upon examination of the Judgment Dockets kept in said Office, there are no Judgments or Transcripts of Judgments against the following named persons for the periods set opposite their respective names, except as above shown.

Malcolm N. Fleming, from June 30, 1961 to April 21, 1965.

Margaret J. Fleming, during the ten years last past.

IN WITNESS WHEREOF, Monroe Abstract & Title Corporation has hereunto caused its corporate name to be signed and its corporate seal to be affixed

This Continuation *contains* 4 *sheets and shows* one *conveyances.*

this 30th *day of* June *19* 71 *at* 8:00 A. M.

MONROE ABSTRACT & TITLE CORPORATION

By

95839

Upon a continuation of the foregoing search, in the manner and form therein stated, nothing was found, except as above shown.

Dated

MONROE ABSTRACT & TITLE CORPORATION

By

Upon a continuation of the foregoing search, in the manner and form therein stated, nothing was found, except as above shown.

Dated

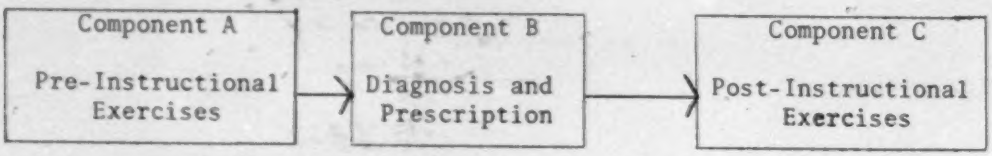
MONROE ABSTRACT & TITLE CORPORATION

By

APPENDIX

INTRODUCTION TO A MODEL FOR INVESTIGATING VISUAL DEVICES

This model is designed to show how ideas and data presented via a visual device such as a cartoon might be used in an instructional setting for skill development. Adapting this model, a teacher will be able to develop similar exercises using other kinds of visuals such as flat pictures, slides, graphs, tables, drawings, maps, and time lines. This model consists of three major components:



The Pre-Instructional Exercises include:

- a series of questions for each of the five levels of investigation
- a variety of question styles utilizing the open-ended type at the fourth and fifth levels of investigation to allow pupils the fullest possible opportunity to engage in divergent thinking
- allowances for pupils whose learning styles are predominantly visual-oral
- a systematic way of assessing the level at which the pupil is having difficulty

The Diagnosis and Prescription component found in the Pre-Instructional Section consists of

- suggested activities for students experiencing difficulty in operating at certain levels of investigation

The Post-Instructional Exercises feature

- a systematic re-assessment of skills developed using a different visual

LEVELS OF INVESTIGATION

The heart of this approach is the conceptual scheme consisting of five levels of operation. Four of these levels are cognitive and the fifth is affective. Underlying this structure is the belief that pupils will be helped to engage in rational thinking before taking a value position (Personalization Level).

Source: Project Assessment, Social Studies Skills
Bureau of Social Studies Education, State Education Department

This chart includes (1) a brief description of each level of investigation, (2) key words for designing questions, (3) possible stems for questions.

Description of Level	Possible Key Words and Stems for Designing Questions
Level #1 **Identification** As defined here, the student attempts to recognize various elements in the visual, thereby building a data base for proceeding to the next levels.	count name define point identify record list state Name all the _____ you see in the visual. Count the number of _____ you see. What is the caption of the visual?
Level #2 **Relationship** Data (evidence) identified above are associated; relationships among parts begin to emerge. The student is building toward a comprehension of the visual as a whole.	associate differentiate classify distinguish compare organize contrast relate What does A have to do with B? What is the difference between A and B? Can you compare A with B?
Level #3 **Analysis** The objective here is to get the meaning of the visual based upon the data and relationships acquired in the two preceding levels. At this level, the student should be able to create a statement of the idea presented in the visual. In general, this will be covergent thinking, since the number of possible answers is limited.	explain interpret formulate summarize Another title for this visual could be _____. What basic idea is found in this visual? Explain the message given in this visual.

Level #4

Application

The focus of this level is to ask the student to transfer the idea or concept arrived at in Levels 2 and 3 to a new or different setting. This may be too difficult for some, depending on the concept. Therefore, it is recommended that activities on this level be one of exploring the possibilities, not one of perfecting.

adapt	illustrate
apply	plan
create	produce
design	transfer

Write, draw or tell of a situation that is similar to the one expressed in the visual.
Apply the situation in the visual to a similar event in your life.
Using an incident from your social studies class, show how that situation was similar to the one presented in the visual.
How might the idea be put into practice?

Level #5

Personalization

After engaging in the rational thinking process of Levels 1-4, the student should be able to make a value statement based on the data presented in the visual. The aim is to recognize affective issues such as value systems, ethics, and beliefs as they relate to the message in the visual.

acquire	think
feel	

How do you feel about _____?
How would you put this idea into practice?
What does the message in the visual mean to you?
How do you feel about the ways other students would put the idea into practice?

SUGGESTED ACTIVITIES FOR STRATEGIES OF INSTRUCTION

To highlight the variety of approaches and strategies that might be employed, the following have been provided: activities for (1) large group instruction, (2) small group, (3) individual pupils.

Suggested Activities for Large Group Instruction

Level #1
Identification

Presenting the visual by a transparency, slide, or study print, the teacher should

- ask the group to state the names of items orally
- ask each pupil to write on paper the names of the items or elements in the visual
- make a composite list of group responses on the chalkboard and ask each pupil to check his or her answer list against the composite. Discuss discrepancies.

Level #2
Relationship

Using the same visual, the teacher should

- point out two conceptually related items and discuss the relationship with the pupils
- ask the group for more examples of such relationships

Level #3
Analysis

The teacher should

- have the pupils write several short, descriptive phrases of the message in the visual and then use them as a basis for discussion. Some of these should be written on the chalkboard and discussed as to appropriateness.

Level #4
Application

The teacher might

- have pupils cut pictures or cartoons illustrating similar events from magazines and make a bulletin board montage with the pictures
- discuss ideas for application

Level #5
Personalization

The teacher could

- present possibilities for value positions and engage pupils in a discussion of the positions.
- ask pupils for possible value positions and discuss possible reasons for assuming these positions.

Suggested Activities for Small Group Instruction

Small group activities may be initiated by dividing the class into sets of six to ten students and working with each group separately, or the small groups may be a continuation and extension of a large group activity. That is, a large poster may be used initially with the entire class to work through Levels 1, 2, and 3. Following this, for work at the Application Level pupils might break into groups of four or five and devise their own representations of the message contained in the visual used previously. A student could lead the small group discussion and record answers on the chalkboard or newsprint. Personalization Level, however, always requires an individualized response since the pupil takes a position for or against the message. Obviously, many of the activities suggested for individualization may apply equally well to small groups.

Here are some suggested activities for each level of investigation:

Level #1
Identification

- Ask a member of the small group to serve as a leader who shows a visual and have the other pupils identify the elements orally.
- The leader might show a visual, ask group members to identify elements, and make a composite listing on the chalkboard. The individual pupil would then compare his list with that on the board.

Level #2
Relationship

- The teacher working with a small group shows a visual and has the student identifying existing relationships. Then, the teacher covers one or more elements in the visual and has the pupils state the new relationships that exist.

Level #3
Analysis

- The teacher shows a visual to a small group and asks the pupils to summarize the intended message orally or by writing a topic sentence or a possible title for the visual.

- The teacher might set up an open-ended cause and effect, if...then case, and have students complete the statement orally or in writing.

Level #4
Application

- The teacher shows a visual. Pupils in the small group construct a mural, a diorama, or a drawing which provides the same message but in a different format.
- Pupils role play a skit based on the intended message of the visual.
- Pupils simulate roles based on other messages that may be obtained, depending on particular economic, social, or governmental perspectives held by such groups.

Level #5
Personalization

- The teacher has each pupil in the small group give a personal reaction to the message presented in the visual. This may be done in written form or orally on an individual basis, in a panel discussion, or by role playing a variety of reactions to the message.

Suggested Activities for Individualizing Instruction

Individualization of instruction can exist in various degrees and in various forms. Basically, it requires starting with the individual rather than the group in planning for instruction. A general definition is: Individualized education consists of planning and conducting with each pupil general programs of study and day-to-day lessons that are tailor-made to suit the individual student's learning needs and characteristics as a learner. It is a mistake to identify individualization primarily with remedial or enrichment practicies. It can become a part of daily instruction by using different methods of teaching/learning such as lecture, small group discussions, tutorial assistance, independent study, observation, and use of the technology of tape recorders and other machines.

The concept may be further applied, using activities suggested for large and small group instruction for the five levels of investigation, in these ways:

1. Students may have different objectives, depending on their own needs, working at Level 3, Analysis, another at Level 5, Personalization, etc.
2. Students may respond to questions posed at the various levels in different formats such as orally with a cassette recorder or in writing. Correspondingly, the questions for each level can be given by tape recorder, rather than presenting them in writing.
3. Students may express themselves at Level 5, Personalization, in a variety of ways including written skits or dialogues for TV or radio "spots"; visuals such as collages, advertisements, or drawings; three dimensional productions such as models or dioramas; new lyrics for old tunes; and poetry, depending on their own strengths and interests.
4. Each student could select his own visual to work with, based on his particular interests or conceptual background.
5. Students could be assigned to different "teachers" through the involvement of peers or interage groupings.
6. Students can be allowed different amounts of time to complete tasks as well as different settings such as hall, library, home, etc.

7. Students can be assigned visuals which are of particular interest to them or have the potential of developing a skill at a specific level.

SUGGESTIONS FOR THE SELECTION AND USE OF VISUALS

A visual should be selected on the basis of the following criteria:

The picture should not be cluttered with extraneous material.
It should be appropriate to the interest of the learner(s).
Content of visual should be within the reach of the learner(s)' experiences.
Content should be able to generate higher levels of thinking.
The visual should 2' x 3' if the entire class is to be asked to respond.

A listing of possible sources for appropriate visuals includes:

magazines that are highly visually oriented
commercial companies who produce large poster type visuals
posters from travel and advertising agencies

In using a visual as part of the strategies of instruction described on succeeding pages, here are some suggestions:

For large group work, a cartoon must be enlarged from its 5" x 7" size. It might possibly be (1) redrawn on 24" x 36" hardboard, (2) drawn on the chalkboard by using the opaque projector, (3) redrawn on a transparency, (4) photographed and prepared in the form of a slide.
Individuals and small groups should be able to use desk size reproductions of the visual.
The questions posed will be the same regardless of the grouping arrangements.

SAMPLE INTERVIEW

February 11, 1976

Name: Tom Whorrall (Police officer)

Emblem: All police stations have a special landmark on their patch to show their locality. The best known place is Swan Pond so they use that on their emblem.

Treatment of Animals: There is a special village group committed that feeds them everyday. There are passersby that feed them too. May be fed too much. They are very healthy and plump. There have been a few cases in which a swan died because of overeating (at the pond), in the history.

Ducks: No ducks have ever been stolen. There are 100 wild mallards in the pond that won't leave.

Vandalism: There isn't much vandalism except every now and then the police have to go down and stop the kids from throwing stones or snowballs at the birds. Mostly everyone in the village respects the birds there.

Nest-Tree: There was a story about a duck nest in a tree from another informant and the chief said that sometimes there are a few wood duck there who build nests in trees.

Enforcement Problems: No problems because everyone enjoys the pond a lot and never misues it.

General Incidents: They had to stop the fishing derby because too many ducks and swans were getting hooks in their mouths. The swans can't fly away because their wings are clipped but all the ducks can fly. None of the animals are crippled except the one swan who was born that way. They sometimes sell the ducks because the pond can't hold a lot of them. Occasionally a duck will go out and walk around in the street and the police have to go chase them back so they don't cause a huge traffic jam.

Water Supply: Close to Chief Whorrall's home and it is not polluted. The water temperature is always around 40°F and Manlius and parts of Fayetteville get their water supplies from there. A stream runs right on through his property but the village owns it. It comes from the hills behind his house. Water never dries up and it is a constant source of water.

The water supply goes underground at Stone Machinery and continues that way until "What's Your Beef" and it enters the northern end of the pond.

SAMPLE INTERVIEW

February 6, 1976

Name: Mildred Dopp (Resident of Swan Pond) -
arrived in Manlius 1941 - lives at 112 Pleasant Street

What was Swan Pond called before?

I think that Swan Pond is just the popular name. The name it first had was Cheney Pond, or Stephen Cheney Pond.

When were ducks and swans brought there?

It had to be before 1941 because that is when I moved here and they were here already.

What sort of buildings used to be around the Swan Pond?

Where the Federal Bank is used to be a two story house owned by the Bex family, and this house was moved across the street. It's that house right down there where the law office is, and where "What's Your Beef" now is, there was a farm owned by I think, a man named Burkick. His first name might have been Otto, then, the Swan Pond Restaurant was built next to the pond, and that was owned by Mr. and Mrs. Gallinger. Mrs. Gallinger tried to beautify the pond by planting flowers/shrubs, picking up papers and so on.

What kind of events have gone on?

The Fishing Derby was always fun and exciting, when they used to have it, seeing the conservation truck drive up and put the fish in, and the kids of all ages fishing there. But they've stopped now. I've never noticed any skating on the pond. The Christmas tree is always so beautiful. I'd never want it to stop. I just love it. I really think that the tree is part of the pond.

Do you like the pond the way it is now? Do you think it needs improvements on the fence or anything?

I can't think of anything I would improve - I like it just fine. The fencing is absolutely necessary to keep children from getting in and swans from getting out.

Do you think anything will be built in place of the Swan Pond?

No, I don't think anything can be built there for two reasons. They are: #1: There is too much water to build anything there, and, #2: the land was given back to the Cheney family. In other words, it will remain the same or be returned to the Cheney's.

If you could re-name it, what name would you give it?

I think Swan Pond is the only name for it.

Do you know of any pictures (photos) or paintings of the pond?

There was a teacher at the old Manlius Military Academy who did beautiful pictures of the pond. I wish someone had some and that you could get them.

Do you consider the pond to be a landmark?

Yes, I definitely call the Swan Pond a landmark. If you want to give directions you say things like, Pleasant Street - first left past the Swan Pond, Smith Street first left before the Swan Pond, Federal Bank, right after the Swan Pond, "What's Your Beef," at the Swan Pond, Manlius Elementary, back of the Swan Pond and so on.

SAMPLE INTERVIEW

February 19, 1976

Name: Sidney Mawson

Job: I work at Greene Sentry Hardware; and before that I worked at the postoffice for 20 years, and walked past the Swan Pond twice a day. I have lived in Manlius since 1925. I now live on Pleasant Street, and I was born on Broadfield Road. I first knew about the pond in 1925.

The pond was first called Cheney's Pond. The ducks and the swans use the pond the most. Most people came to look and feed the ducks and swans. Mr. Cheney put the swans in the pond. The fish were probably the first to be in the pond because they swam in from the stream.

There was a lot of vandalism, kids threw stones at the ducks and swans and one swan was killed and a lot of ducklings.

Ice skating used to be a popular thing at the pond, but now the pond doesn't freeze over because the water circulates too much.

The only story that I've ever heard of is that of sneaking around the back of the pond after dark and catching fish. The reaction of the people is good, none complain about the ducks being a nuisance.

No, I don't think improvements could be made. The Swan Pond is an attraction to other viewers. A wooden fence would be much more attractive than the one now. Ducks don't need any shelter because they nest on the bank near Limestone Creek and they just fly over to the pond to eat. The water that goes into the pond comes from the village springs, the water used to be polluted but it is not polluted anymore.

SAMPLE REPORTS

Physical
(With date of entry in newspaper)

It has been used for skating, fishing derbies and it ran a mill wheel.

One swan has been killed by the public.

The only time it goes underground is when it has to cross the road, the stream feeding it is all in lot 86. (From 1876 map).

The pond or Willow Brook was not shown there in 1854. (From 1854 map).

It is in the town of Manlius and it is in lot 86. (From 1860 map).

Swan Pond was done over completely and the money was raised by local churches, various organizations, individual citizens. They were able to get enough to clean the bottom, build a new wall, arrange for running water, a new fence, and better lighting. (1963) (7/18/63).

The pond isn't big enough for either species of swans.

Manlius will spend $1,000 cleaning, improving and beautifying Cheney Pond under direction of trustee Donald W. Goode, who is in charge of parks.

The White Swans have a European background and are known in England as the "Royal Birds;" necessary to have a license from the king before they are kept by private owners.

The Black Swans are native to Australia, strikingly colored with red bills striped with ivory. Their white feathers only show in flight.

The village does a wonderful job of keeping the pond in good condition and keeping the swans fed. Some village people have added ducks to the pond and when wild ducks are on their way south they use the pond.

After Mr. Cheney sold the pond to the village for a dollar; the pond was left alone, without care.

The Swan Pond is listed as a public skating rink in the book "A Plan for the Town of Manlius."

The Manlius Water Dept. has stated that they do not treat the pond water or the stream flowing into it. (1976) 2/76).
Size: 15,000 sq. ft. 500' X 30'

Until a few years ago the swans stayed on the pond throughout the year, but after the village took over responsibility for the birds they were boarded during the winter months.

Mrs. Edna Randall said the Pond was still a stream in 1909; all open before, no fence. Mr. Cheney had swans on the Swan Pond. (2/5/76).

The board will have the pond repaired, cleaned, trees and flowers planted and an increased water flow., (1952) (11/6/52).

Two swans that used to be living there were named "Duke" and "Queenie." (11/6/52).

The Swan Pond was originally an old mill pond which supplied water for an old mill just down the street. (11/6/52).

The pond provides relaxation for the old folks in watching the famous swans and the mallard ducks. Trout swim in it's water, and the pond is under care of the Rod and Gun Club. (1952) 11/6/52).

The pond's new look will feature a sidewalk. (7/24/58).

The Village of Manlius feeds the ducks and swans corn regularly, and pedestrians feed them bread, french fries and different things in their lunch.

Concrete retaining wall placed around the Swan Pond. (1958) (7/24/58).

Work started on the pond in 1958 and they used the village's money for repairs. After adding the swans they called it the Swan Pond.

The pond was at first just a wide brook that ran the old red mill.

There was a boat that you could ride in and out of the pond.

You had to cross a bridge to get to the street.

The water came from a large spring under ground and goes to Limestone Creek.

The pond needed repairs so it was drained and left empty during the winter of 1957. The ducks wade in the mud.

In the spring the pond was cleaned and refilled, the bridge and the steps down to the school grounds were built, and a walk was put around the pond. They also fenced it to protect swans and birds.

The Water Reserve bought the pond and sold it to Mr. Cheney who owned a factory where the Kinlock now stands. Mr. Cheney filled it with the stream running along the two areas.

This winter the Cheney pond froze nearly entirely and the ice blocked the water entrances stopping the water flow. Thd swans and ducks were very tired from standing on the ice, not being able to swim and Duke, one the swans, cut his wing from trying to get up from the water onto the ice. Mrs. Charles Gallinger, Jim Couden and her son broke the ice away so the ducks and swans would have an open swimming area.

The reason the water froze so far is because it's lower than it has every been because there was nearly a dozen leaks on the west side of the pond. It has been leaking ever since 1951 and no one has done anything about it. For 50 years people have been coming from all over to see the swans, how would they feel if they were all gone? Mrs. Gallinger finally convinced the Mayor and the Village Board to start a fund for this project and they have been squeezing money out of the budget bit by bit so we can repair the leaks. (1/14/54).

Swans have grace and beauty——also tempers. These two lovely black swans can't get along with the white swans in the Manlius Swan Pond, but they get along swimmingly with the white ducks in the background. Because they are quarrelsome, the swans have been banished temporarily for the winter to a farm at Nelson and Manlius village officials are hopeful that someone will buy them and give them a permanent home before spring. The village also has three white cygnets (young swans) for sale. All the village fathers want, on the pond hereafter are two white swans and the ducks. It is hoped that peace will then prevail. (1964) (12/10/64).

"Duke and Queenie," two of the swans that live there were joined by two fluffy cygnets. (11/6/52).

Six picture swans float peacefully on the Manlius Pond. Until a few years ago, the swans stayed on the pond throughout the year, but after the village took over responsibility for the birds, they were boarded during the winter months. (3/21/68).

Cygnets (baby swans) are little fluffy creatures with an inbred grace and dignity even in the period closest to when we are teenagers. (7/18/63).

The pond is under the care of the Manlius-Fayetteville Rod and Gun Club. (11/6/52).

History
(With date of entry in newspaper)

Before it was called the Swan Pond it was called Cheney Pond.

Who uses the pond the most? The Swans.

The Swans came before the fish.

Anyone that knows a little about Manlius knows about the Swan Pond.

Once a duck built her nest up in a tree and had baby ducks there and they couldn't get out. Fireman were called to bring it down and they restored it to the ground. (2/5/76).

Miss Esther Wright said that once there was a fire near the Pond and they had just cleaned and filled the Pond. They put the hoses in the Swan Pond and they put it out.

Mr. Cheney wanted it to be called Cheney Pond when he gave it to Manlius but it was always known as Swan Pond. (Miss Wright 2/5/76).

Everyone was careful of swans and fed them. Swans ran loose and sometimes caused traffic jams, so they built the fence. (2/5/76).

Mrs. Baker said that once her mother and a few other ladies were out by the Swan Pond and a big male swan chased after them. (2/5/76).

People ate their lunch at the pond in the summer. (2/4/76).

The Swan Pond fund swelled to over $3,000 as a result of the door to door canvas which gave us another $850. So there will be swans at the Swan Pond. A ceremony has been set for Nov. 15 this year to welcome the new pair of swans to their new home. (9/25/58).

Through the generosity of the citizens of the community, the Manlius Swan Pond has been clean, a pair of new swans have been placed there and additional repairs will continue to make the landmark a place of restful beauty. (4/10/58).

Everyone can enjoy the pond and some years there is Ice Skating with a decorated, lighted Christmas tree at Christmas.

Myrtle the swan died and only Elmer is left. Myrtle had been a resident of the Swan Pond for 25 years. (4/11/57).

For many years the Pond was Cheneys property, the swans were voluntarily tended by Mrs. and Mrs. Bex who lived in the house above, now Flemings office. (3/21/68 EB).

When Mr. Cheney died, his son, Steven, sold the pond to the village for $1.

The Swan Pond was fished and was stocked with brown trout. (5/2/57 EB).

Study showed not enough traffic to confront installation of traffic lights near Swan Pond. (2/4/65 EB).

Cheney Pond will become Manlius Village Property. (5/31/51 EB).

Children fish for trout and prizes in the Manlius Swan Pond Fishing Derby. (9/10/59 EB).

Grand opening of Cook's restaurant. (6/12/58 EB).

Mr. Cook buys the building next to the Swan Pond for use as a restaurant. (6/12/58 EB).

Over $2,000 is pledged at the Manlius Swan Pond Improvements Fund so far. The goal is $5,000. (7/18/58).

Cooks Swan Pond invited the March of Dimes to use the Dining room for their meeting. (1/21/60).

Manlius Swan Pond was formally dedicated Saturday at well attended ceremonies. (7/2/59).

Proceeds of football game between Manlius School and Wyoming Seminary will go to the Swan Pond Development Fund. (11/13/58).

Manlius fishing derby was won by Ray Wilson. (9/22/60).

Swan Pond site selected for new Manlius school about the voting for the Manlius Elem. school for the property where it should be. The votes for the Swan Pond favored it by 4 to 1. (9/24/53).

Swan Pond Snackery will open Friday, (10/22/48).

The Swan restaurant will open Sat. Jan. 14, 1950.

The Swan Pond Snackery is now open. (4/24/50).

Cheney Pond, Manlius Landmark, Deeded Village Board to Direct Improvements. (11/6/52).

Swan Pond deeded to the Village of Manlius as a gift from S. Cheney and Son, century old Manlius manufacturing firm. (11/6/52).

Village drained the pond to put in concrete banks and walls. (10/31/57).

Ducks that refused to leave the Swan Pond when it was drained gained nation-wide fame. (11/13/57).

The Rosamond Gifford Charitable Corporation today announced a grant of $2,500 to assist the residents of that community in the restoration and reconstruction of the Swan Pond. (11/6/58).

Willowbrook Gardens by the Swan Pond Manlius 2/1/62.

A group of local women under the presidency of Mrs. J. Porcello earned a daffodill garden at the north end of the pond among other projects. (6/7/62).

Free Broasted Chicken - Cooks at the Swan Pond. (6/15/61).

Cook's Huts Pizza at the Swan Pond Manlius. (6/28/62).

Black swans cost $500. The swans were doing well together until one night either the black swans attacked the white swans or the white swans wouldn't share the corn, we aren't sure what happened. A fight took place and peace at the Swan Pond was destroyed. (7/18/63).

Between 600 and 700 trout are in the Swan Pond for the Annual Manlius Fish Derby. Boys and girls from 3 to 13 can come. The trout are donated by the Village Board, Fire Dept. and the Fayetteville Manlius Rod and Gun Club. Local merchants donated prizes for small, medium, heavy and light fish.

Because of the popularity of the contest, entrants are restricted to children of Manlius with these boundaries: Hunt Lane, Buellevill, Eagle Village Rd., North St. Pompey Center Rd., including Limestone, Whetstone and Bershire areas. (6/17/65).

This year the village trustees signed a 2 year contract with Mr. Charles Clift, to provide the pond with swans and geese, this would cost the village $300 a year. They had an option though, they could have the swans and geese for free, if they would allow Mr. Clift to put up a 10 by 30 foot sign advertising Clifts animal farm. The trustees also decided to buy some bushes for nesting coverage. The swans have been a landmark in Manlius since 1901 when Walter Cheney put the first pair of swans on the pond, then he gave the mill to his son who deeded it to the town in 1952. The first pair of swans Duke and Queenie, lasted more than 20 years and the 2nd pair lasted about 30, but their replacements only lived about ten years, for 5 years in the 1960's the white swans were joined by a pair of black ones, they were donated by the Cook family. The birds did not get along and a fence had to be put up to divide the pond so the swans wouldn't fight. In 1968 disaster struck when 3 out of the 4 swans died. (8/21/69).

When Claude Cook bought the property where "What's Your Beef" now is, he decided to try to get the village people interested in the pond as a landmark. He went to the village Board and asked them if they could repair the pond. He wanted to rebuild the wall and open the stream to feed it with fresh water. In return, he would buy a pair of white swans and a pair of rare black swans from Switzerland.

During the time of WWI there was a house where the Swan Pond is now. It has moved to where Seneca Savings Bank is and stayed there until 1972 when it moved to Pleasant St.

Even with the growth, landmarks from the past remain. For seventy years, travelers and residents alike have watched the swans on the pond west of Fayette St. Fed by Willow Brook the water on one time provided reserve power for mill races. The 1st swans were placed there shortly after 1900 by Walter Cheney, and in 1952 S. Cheney and Sons, the century-old manufacturing firm, gave the pond to the village.

The first pair of swans were put out by Walter Cheney shortly after 1900 when the pond was still owned by his family. The swans have been there for 60 years. The mill was built in 1804. The names of the first swans were Queenie and Duke.

Mr. Costello ran the old red mill.

Emily Koons lived in the house where lawyer Fleming has his office.

Hubert Ransier took pictures of the first swans and gave the pond its name.

The Rod and Gun Club stocked the pond with trout and sponsored a fishing derby yearly.

In November 1952 the pond was formally deeded to the village.

The survey and deed was presented by Stephen S. Cheney.

It was requested that the pond be called Cheney Pond.

At the same time he deeded to the village a new street south of the pond called West Pleasant St.

A public campaign was put on to help defray the expenses of the improvement. L. (Red) Chapman and H. Duane Clark donated equipment and labor for cleaning and repairing the sides to prevent leakage of water.

About a year later a grant of $2,500 from the Rosamond Gifford Charitable Corp. was made to the village of Manlius to assist in the restoration and construction of the pond.

July 18, 1963

At the Swan Pond which is also a trout hatchery under the Conservation Dept., we held our annual Fish Derby. Hundreds of kids compete for the first fish, the most fish in a given time and the biggest fish. Some years girls win but usually boys.

A year or so ago the female swan died and her male was inconsolable. The mate just swam and swam mournfully in circles. Even when new females were introduced he took no heed.

In Spring, Swan Pond becomes a duck pond and quacks with mallards, who are reluctant to leave. They often get the best share of corn tossed by tourists and the swans, who have learned to distinguish a kernal 20 strokes off. The tame ducks in the pond also show no competition.

One winter season, the swans were housed in two wash tubs in a citizens garage but lately the feathers survive better at Burnett Park Zoo. (Free)

Uproar on Pond - Blacks Swans Banished

The black and white swans at the Pond just can't get along. Next spring only white swans will be on the Swan Pond. Roy Kluge of Cincinnatus will take the black swans and 3 white cygnets away the day before Thanksgiving, after buying them. Board regrets having to sell them but the swans fought too much. Even a fence across the middle couldn't keep them from fighting. Swans have been on the Pond more than 50 years. When it was Cheney's mill pond the birds spent all year on the water. Later a change in drainage made it impossible for them to stay. The village pays for winter storage

as well as bird-feed. Mr. and Mrs. Claude Cook gave the black swans to Manlius. The swan's fought for a long time. The swans not only nipped at each other through the fence but when one of the swans got into enemy territory the other swans beat them. The swans were very protective when their babies came. As the white cygnets grew they flew into the black swans area. Once a cygnet flew over the fence and it was hit by a car and it was injured so badly it had to be destroyed. Another was pushed out of the nest, the three remaining cygnets had their wings clipped immediately after the accident. The fence didn't keep the swans from fighting but also it made cleaning difficult.

SAMPLE DOCUMENT
AGREEMENT

This agreement made by and between FAYETTEVILLE and MANLIUS ROD AND GUN CLUB, INC., a New York Membership Corporation, Village of Manlius, a New York Municipal Corporation and S. Cheney & Son, a New York Domestic Corporation.

WITNESSETH:

WHEREAS, on or about the 31st of July, 1936, the parties hereto entered into an agreement relative to the acquisition and improvement of what is now known as Cheney Pond, for the purposes therein set forth, said Pond being owned by S. Cheney & Son.

WHEREAS, a renewal of said lease and agreement expired July 31, 1946, and the parties hereto all desire that the same be renewed for a period of five (5) years, instead of two years as provided in said agreement, subject to slight modification, as hereinafter set forth.

NOW THEREFORE, this agreement WITNESSETH: That the parties hereto in consideration of the sum of One ($1.00) dollar and other good and valuable considerations by each party to the other paid, receipt whereof is severally hereby acknowledged, have and hereby do agree as follows:

1. To renew said lease and agreement, dated on or about the 31st day of July, 1936, for a period of five (5) years from July 31, 1946.

2. That during the period of five (5) years, the Village of Manlius agrees, in addition to the things to be done under said original lease and agreement, to maintain the banks of said Pond and from time to time as same becomes necessary is to repair and fill in said banks and to, so far as possible, prevent leaks in and through the same.

This agreement shall apply to and bind the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this day of January 1947.

FAYETTEVILLE AND MANLIUS ROD AND GUN CLUB, INC.

By_____(L.S.)

VILLAGE OF MANLIUS

By_____(L.S.)

S. CHENEY & SON

By_____(L.S.).